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*Attorneys for Defendant and  
Counterclaim-Plaintiff Apple Inc.*

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

ADAPTIX, INC.,

Plaintiff,

v.

APPLE INC., *et al.*,

Defendants.

Case No. 5-13-cv-01776-PSG

**DECLARATION OF CRAIG E. DAVIS IN  
SUPPORT OF DEFENDANTS' MOTION  
FOR ATTORNEYS' FEES PURSUANT  
TO 35 U.S.C. § 285**

Hearing Date: March 31, 2015, at 10 a.m.  
Courtroom 5, 4th Floor  
Magistrate Judge Paul S. Grewal

ADAPTIX, INC.,

Plaintiff,

v.

APPLE INC., *et al.*,

Defendants.

Case No. 5-13-cv-01777-PSG

**DECLARATION OF CRAIG E. DAVIS IN  
SUPPORT OF DEFENDANTS' MOTION  
FOR ATTORNEYS' FEES PURSUANT  
TO 35 U.S.C. § 285**

Hearing Date: March 31, 2015, at 10 a.m.  
Courtroom 5, 4th Floor  
Magistrate Judge Paul S. Grewal

ADAPTIX, INC.,

Plaintiff,

v.

AT&T MOBILITY LLC, *et al.*,

Defendants.

Case No. 5-13-cv-01778-PSG

**DECLARATION OF CRAIG E. DAVIS IN  
SUPPORT OF DEFENDANTS' MOTION  
FOR ATTORNEYS' FEES PURSUANT  
TO 35 U.S.C. § 285**

Hearing Date: March 31, 2015, at 10 a.m.  
Courtroom 5, 4th Floor  
Magistrate Judge Paul S. Grewal

ADAPTIX, INC.,

Plaintiff,

v.

CELLCO PARTNERSHIP d/b/a VERIZON  
WIRELESS, *et al.*,

Defendants.

Case No. 5-13-cv-01844-PSG

**DECLARATION OF CRAIG E. DAVIS IN  
SUPPORT OF DEFENDANTS' MOTION  
FOR ATTORNEYS' FEES PURSUANT  
TO 35 U.S.C. § 285**

Hearing Date: March 31, 2015, at 10 a.m.  
Courtroom 5, 4th Floor  
Magistrate Judge Paul S. Grewal

ADAPTIX, INC.,

Plaintiff,

v.

APPLE INC., *et al.*,

Defendants.

Case No. 5-13-cv-02023-PSG

**DECLARATION OF CRAIG E. DAVIS IN  
SUPPORT OF DEFENDANTS' MOTION  
FOR ATTORNEYS' FEES PURSUANT  
TO 35 U.S.C. § 285**

Hearing Date: March 31, 2015, at 10 a.m.  
Courtroom 5, 4th Floor  
Magistrate Judge Paul S. Grewal

I, Craig E. Davis, declare under the laws of the United States as follows:

1. I am an attorney at the law firm of Wilmer Cutler Pickering Hale and Dorr LLP, counsel for Apple Inc. ("Apple") in Case Nos. 5:13-cv-01776, -01777, and -02023. I am licensed to practice law in the State of California and am admitted to practice before the U.S. District Court for the Northern District of California. I am familiar with the facts set forth herein, and if called as a witness, I could and would testify competently to those facts under oath.

2. I make this declaration in support of Defendants' Motion for Attorneys' Fees Pursuant to 35 U.S.C. § 285.

1           3.       Attached to this declaration as **Exhibit 1** is a true and correct copy of a document  
2 produced by plaintiff Adaptix, Inc. (“Adaptix”) bearing bates numbers ADAP 08332533 through  
3 ADAP 08332546.

4           4.       Attached to this declaration as **Exhibit 2** is a true and correct copy of 3GPP  
5 TS 36.213 v. 8.8.0 (2009-09) obtained from <http://www.3gpp.org/dynareport/36213.htm>.

6           5.       Attached to this declaration as **Exhibit 3** is a true and correct copy of Adaptix’s  
7 Disclosure of Asserted Claims and Infringement Contentions to Apple for U.S. Patent  
8 Nos. 6,947,748 (“’748 patent”) and 7,454,212 (“’212 patent”) for Case No. 5:13-cv-01776-PSG  
9 dated August 10, 2012.

10          6.       Attached to this declaration as **Exhibit 4** is a true and correct copy of Adaptix’s  
11 Supplemental Disclosure of Asserted Claims and Infringement Contentions to Apple for the  
12 ’748 and ’212 patents for Case No. 5:13-cv-01776-PSG dated August 30, 2013.

13          7.       Attached to this declaration as **Exhibit 5** is a true and correct copy of the cover  
14 pleading to Adaptix’s Supplemental Disclosure of Asserted Claims and Infringement  
15 Contentions to Apple for the ’748 and ’212 patents for Case No. 5:13-cv-01776-PSG dated  
16 December 2, 2013. To minimize the burden on the Court, the infringement charts served by  
17 Adaptix on Apple on December 2, 2013 for the ’748 and ’212 patents have been omitted from  
18 this exhibit because they are substantively identical to the charts served on August 30, 2013,  
19 which are included in Exhibit 4. The only difference between the two sets of charts was the list  
20 of products identified in footnote 1 on page 1 of each chart.

21          8.       Attached to this declaration as **Exhibit 6** is a true and correct copy of excerpts  
22 from the transcript of the deposition of Nigel Andrew Jones taken on December 2, 2014.

23          9.       Attached to this declaration as **Exhibit 7** is a true and correct copy of excerpts  
24 from the transcript of the deposition of Curtis Stanley Dodd taken on March 20, 2014.

25          10.       Attached to this declaration as **Exhibit 8** is a true and correct copy of excerpts  
26 from the transcript of the deposition of Curtis Stanley Dodd taken on June 26, 2014.

1           11. Attached to this declaration as **Exhibit 9** is a true and correct copy of a document  
2 produced by Adaptix bearing bates numbers ADAP 00269328 through ADAP 00269329, which  
3 is Exhibit 55 to the deposition of Curtis Stanley Dodd taken on June 26, 2014.

4           12. Attached to this declaration as **Exhibit 10** are excerpts from the Rebuttal Expert  
5 Report of Wayne E. Stark, Ph.D., Regarding Non-Infringement of U.S. Patent Nos. 6,947,748  
6 and 7,454,212 for Case No. 5:13-cv-01776-PSG dated August 27, 2014. Portions of the excerpts  
7 upon which Defendants are not relying for their Motion for Attorneys' Fees have been  
8 permanently redacted to minimize the sealing burden on the Court and the parties.

9           13. Attached to this declaration as **Exhibit 11** are excerpts from the Rebuttal Expert  
10 Report of Wayne E. Stark, Ph.D., Regarding Non-Infringement of U.S. Patent Nos. 6,947,748  
11 and 7,454,212 for Case Nos. 5:13-cv-01777-PSG and 5:13-cv-02023-PSG dated August 27,  
12 2014. Portions of the excerpts upon which Defendants are not relying for their Motion for  
13 Attorneys' Fees have been permanently redacted to minimize the sealing burden on the Court  
14 and the parties.


15           14. Attached to this declaration as **Exhibit 12** is a true and correct copy of Adaptix's  
16 amended infringement contentions to Apple for the '748 patent for Case No. 5:13-cv-01776-PSG  
17 dated January 31, 2014.

18           15. Attached to this declaration as **Exhibit 13** is a true and correct copy of Adaptix's  
19 amended infringement contentions to Apple for the '212 patent for Case No. 5:13-cv-01776-PSG  
20 dated February 10, 2014.

21           16. Attached to this declaration as **Exhibit 14** is a true and correct copy of a  
22 document produced by Adaptix bearing bates numbers ADAP 08886297 through ADAP  
23 08886307.

24           17. Attached to this declaration as **Exhibit 15** is a true and correct copy of  
25 correspondence from Christopher A. Hughes, counsel for defendant AT&T Mobility LLC, to  
26 Michael J. Ercolini, counsel for Adaptix, dated July 20, 2014.

1 I declare under penalty of perjury under the laws of the United States that the foregoing is  
2 true and correct to the best of my knowledge and belief and that this declaration was executed on  
3 February 17, 2015 in Palo Alto, California.

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6 Craig E. Davis